

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

UNITED STATES OF AMERICA §
 §
VS. § CRIMINAL NO. H-15-510
 §
GREGG CARL BAIRD §

**DEFENDANT'S SECOND UNOPPOSED MOTION FOR
A CONTINUANCE OF THE SENTENCING HEARING**

TO THE HONORABLE DAVID HITTNER:

Gregg Carl Baird files Defendant's Second Unopposed Motion For A Continuance Of The Sentencing Hearing, and for cause would show as follows:

I.

Defendant pled guilty to possession of child pornography, in violation of 18 U.S.C. § 2252A(a)(5)(B) (count three), on January 8, 2016. He is detained pending sentencing. The probation officer released the pre-sentence investigation report on February 29, 2016. The statutory range of punishment is ten to 20 years in prison. The sentencing hearing is scheduled for June 16, 2016.

Counsel for defendant needs more time to complete his mitigation investigation. He requests an extension of at least 45 days.¹ The Government does not oppose this extension.

¹ Counsel contacted Ellen Alexander, the case manager for the Court, before filing this motion. She stated that the Court could conduct the sentencing hearing at 2:00 p.m. on August 31, 2016, and suggested that counsel request that date and time.

This motion is made in the interests of justice and not to delay the proceedings.

Defendant requests that the Court grant this motion.²

Respectfully submitted,

/S/ Josh Schaffer

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Attorney for Defendant
GREGG CARL BAIRD

CERTIFICATE OF CONFERENCE

I conferred with Sherri Zack, Assistant United States Attorney, on June 2, 2016, and she does not oppose this motion.

/S/ Josh Schaffer

Josh Schaffer

CERTIFICATE OF SERVICE

I served a copy of this document on Sherri Zack, Assistant United States Attorney, by electronic filing on June 2, 2016.

/S/ Josh Schaffer

Josh Schaffer

² Defense counsel is scheduled to travel with his family from July 13-20 and August 5-14, 2016. He respectfully requests that the Court not reschedule the sentencing hearing during those dates.

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ORDER

Baird's Second Unopposed Motion For A Continuance Of The Sentencing
Hearing is **GRANTED**. Sentencing is set for August 31, 2016, at 2:00 p.m.

Signed at Houston, Texas, on June _____, 2016.

David Hittner
United States District Judge